

March 9, 1917.

Judge O. H. Pollard,
Jackson, Kentucky.

Dear Sir:

Referring to the case of Mack Howard v. E&N, in Breathitt Circuit Court, I beg to advise you that since the Judgment and Bill for Costs in this case was reported for payment considerable correspondence has been exchanged between the law department, at Louisville, and Messrs. Seargeant and Hardesty regarding the enormous accumulation of costs, particularly witness fees, reported in this case. In submitting this correspondence to me, Mr. Donohue, Assistant District Attorney, writes -

"Is there anything we can do to put a stop to the ordering to Jackson, every time a little case is set for trial, of a horde of witnesses who remain there, at our expense, an unconscionable length of time?"

Just what may be the remedy for this lamentable condition I am not prepared to say. Doubtless the lawyers are in some measure responsible but the Court is certainly more or less responsible and at the next term of the Breathitt Circuit Court (and this applies equally to the inferior courts) I think the matter ought to be brought sharply to the attention of the presiding Judge and a vigorous effort made to secure some measures of relief. It is nothing short of an outrage that in a case involving not more than \$150, on the preliminary reports absolutely without merit, there should be taxed against us an aggregate of \$130 for witness fees. A word to the wise is sufficient.

Very truly yours,

SMW/a

Counsel.